

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ISHMAEL ALI BURK,	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	CIVIL ACTION NO. 19-CV-3121
	:	
THOMAS LEONHAUSER, <i>et al.</i> ,	:	
<i>Defendants.</i>	:	

ORDER

AND NOW, this 19th day of August, 2019, upon consideration of Plaintiff Ishmael Ali Burk's Amended Complaint (ECF No. 7) it is **ORDERED** that:

1. Burk's Amended Complaint is **DISMISSED without prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum. The dismissal is without prejudice to Burk filing a new case only in the event his sentence is reversed, vacated, or otherwise invalidated.
2. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.